



3762

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BET  
8.14.02  
#8/IDS

Re Patent Application of

LEVIN et al

Atty. Ref.: 3659-10

Serial No. 09/618,759

Group: 3762

Filed: July 18, 2000

Examiner: Unknown

For: METHOD AND APPARATUS FOR PERIPHERAL VEIN FLUID  
REMOVAL IN HEART FAILURE

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AUG 13 2002

\* \* \* \* \*

August 12, 2002 TECHNOLOGY CENTER #3700

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT**

- ☒ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action] N/C
- ☐ 2. **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance] N/C
- ☐ 3. **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance] \$180.00
- ☐ 4. **Petition, Statement & Petition Fee Payment Pursuant to 37 CFR 1.97(d)**  
[before Issue Fee payment] \$130.00

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The following are submitted in the above-identified application in compliance with 37  
C.F.R. §§ 1.97 and 1.98:

- ☒ 5. A list of documents on Form PTO-1449 together with copies of each  
identified document and a translation or a concise explanation of each non-  
English language document is enclosed herewith.

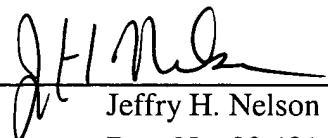
This paper is submitted in accordance with:

- ☒ 6. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☐ 7. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and

- ☐ a) The required Statement made in item 9 below; or
- ☐ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 10 below.
- ☐ 8. 37 CFR §1.97(d): [before issue fee payment]; and
- ☐ a) This is a petition for consideration of the subject Information Disclosure Statement. The petition fee (\$130.00) required by 37 CFR §1.17(i) is authorized in item 10 below; and
- ☐ b) The required Statement is stated in item 9 below.
- ☐ 9. Statement under 37 CFR 1.97(e)
- ☐ a) Each item of information contained in this Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 10. Please charge all applicable fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:   
Jeffrey H. Nelson  
Reg. No. 30,481

JHN:glf  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100



(Use several sheets if necessary)

ATTY. DOCKET NO.

SERIAL NO.

3659-10

09/618,759

APPLICANT

LEVIN et al

FILING DATE

GROUP

July 18, 2000

3762

## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL | DOCUMENT NUMBER    | DATE     | NAME              | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|--------------------|----------|-------------------|-------|----------|-------------------------------|
| <i>[Signature]</i>   | US 2002/0068015 A1 | 6/6/02   | Polaschegg et al. |       |          |                               |
| <i>[Signature]</i>   | 5,910,252          | 6/8/99   | Truitt et al.     |       |          |                               |
| <i>[Signature]</i>   | 4,080,958          | 3/28/78  | Bregman et al.    |       |          |                               |
| <i>[Signature]</i>   | 5,476,451          | 12/19/95 | Ensminger et al.  |       |          |                               |

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TRANSLATION

## FOREIGN PATENT DOCUMENTS

| DOCUMENT    | DATE   | COUNTRY | CLASS | SUBCLASS | YES | NO |
|-------------|--------|---------|-------|----------|-----|----|
| WO 97/15228 | 5/1/97 | PCT     |       |          |     |    |

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

|                    |  |
|--------------------|--|
| <i>[Signature]</i> | Piergiuseppe Agostoni et al., "Sustained Improvement in Functional Capacity After Removal of Body Fluid With Isolated Ultrafiltration in Chronic Cardiac Insufficiency: Failure of Furosemide to Provide the Same Result", March 1994, The American Journal of Medicine, Volume 96, pp. 191-199. |
| <i>[Signature]</i> | Daniel Goldstein et al., "Venoarterial Shunting for the Treatment of Right Sided Circulatory Failure After Left Ventricular Assist Device Placement", ASAIO Journal 1997, pp. 171-176.   |
| <i>[Signature]</i> | Michael Berkoben et al., "Hemodialysis Vascular Access", pp. 41-57.  |
| <i>[Signature]</i> | Allan Lauer, "Continuous Arteriovenous Hemofiltration in the Critically Ill Patient", pp. 455-460.   |
| <i>[Signature]</i> | A. L'Abbate et al., "Ultrafiltration: A Rational Treatment for Heart Failure", Cardiology 1989, pp. 384-390.   |
| <i>[Signature]</i> | Yung-Chang Chen et al., "Direct Peripheral Venopuncture: Another New Choice of Temporary Vascular Access", pp. 369-377.  |
| <i>[Signature]</i> | James Cimino et al., "Simple Venipuncture For Hemodialysis", The New England Journal of Medicine, September 20, 1962, pp. 608-609.   |
| <i>[Signature]</i> | Drukker et al., "Replacement of Renal Function by Dialysis", pp. 334-379.  |
| <i>[Signature]</i> | Andrea Rimondini et al., "Hemofiltration as Short-Term Treatment for Refractory Congestive Heart Failure", July 1987, The American Journal of Medicine, Volume 83, pp. 43-48.  |
| <i>[Signature]</i> | Marc Silverstein et al., "Treatment of Severe Fluid Overload by Ultrafiltration", Volume 291, Number 15, October 10, 1974, pp. 747-751.  |

\*Examiner

Date Considered

5 Nov 03

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)